

*WJ*

<b>TRANSMITTAL OF APPEAL BRIEF (Large Entity)</b>	Docket No. <b>5-052US-FF</b>
---	---------------------------------

In Re Application Of: **Atsushi TESHIMA**

Application No. <b>09/872,008</b>	Filing Date <b>June 4, 2001</b>	Examiner <b>Wesley J. Tucker</b>	Customer No. <b>21254</b>	Group Art Unit <b>2623</b>	Confirmation No.
--------------------------------------	------------------------------------	-------------------------------------	------------------------------	-------------------------------	------------------

Invention:  
**IMAGE PRESENTATION SYSTEM**

COMMISSIONER FOR PATENTS:

Transmitted herewith in triplicate is the Appeal Brief in this application, with respect to the Notice of Appeal filed on

The fee for filing this Appeal Brief is: **\$500.00**

- ☒ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **50-0481**
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

Dated: **July 19, 2005**

**John J. Dresch, Esq., Reg. No. 46,672**

**Sean M. McGinn, Esq., Reg. No. 34,386**

**McGinn & Gibb, PLLC**  
**8321 Old Courthouse Road, Suite 200**  
**Vienna, VA 22182**  
**(703) 761-4100**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on
(Date)
Signature of Person Mailing Correspondence
Typed or Printed Name of Person Mailing Correspondence

cc:

USH.019



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of

Atsushi TESHIMA

Serial No.: 09/872,008

Group Art Unit: 2623

Filed: June 4, 2001

Examiner: Tucker, Wesley J.

For: IMAGE PRESENTATION SYSTEM

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450

**APPELLANT'S BRIEF ON APPEAL**

Sir:

Appellant respectfully appeals the final rejection of Claims 3-6, 8, and 10-19 in the final Office Action dated January 25, 2005. A Notice of Appeal was timely filed on May 20, 2005.

**I. REAL PARTY IN INTEREST**

The real party in interest is FUJI PHOTO FILM CO., LTD., assignee of 100% interest of the above-referenced patent application.

**II. RELATED APPEALS AND INTERFERENCES**

There are no other appeals or interferences known to Appellant, Appellant's legal representative or Assignee which would directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

### **III. STATUS OF CLAIMS**

Claims 3-6, 8, and 10-19, all of the claims in the Application, are set forth fully in the attached Appendix.

Claims 3-6, 8, and 10-19 stand rejected on prior art grounds.

Particularly, Claims 3, 8, and 10-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Lee, et al. (U.S. Patent No. 6,658,167; hereinafter "Lee").

Claims 4-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lee.

Appellant respectfully appeals the rejections of Claims 3, 8, and 10-19 under 35 U.S.C. § 102(b) as being anticipated by Lee, and Claims 4-6 under 35 U.S.C. §103(a) as being unpatentable over Lee, which are the sole issues in this Appeal.

### **IV. STATUS OF AMENDMENTS**

An Amendment under 37 C.F.R. § 1.116 was filed on April 21, 2005. No claims were amended.

An Advisory Action mailed May 3, 2005 entered and considered the Amendment under 37 C.F.R. § 1.116 filed on April 21, 2005, but held Claims 3-6, 8, and 10-19 unpatentable. A Notice of Appeal was filed timely on May 20, 2005.

Therefore, the claims are pending as set forth in the Appendix.

## **V. SUMMARY OF THE CLAIMED SUBJECT MATTER**

The present invention relates to an image registration system, an image registration server, and an image transmission server, and an image registering method and an image transmitting method.

Conventional systems for uploading image data into image servers through networks are known in which it is possible to display an image represented by an image data downloaded from the image server on a display device in various types of client computers, such as a personal computer, a portable telephone set, a portable information terminal, or the like.

In such systems, when an image server is accessed by the client computer, image data uploaded in the image server is downloaded into the client computer to be displayed on a display device in the client computer. However, if the device which accesses the image server has a relatively small display screen, for example, a portable telephone set or a portable information terminal, an image represented by image data transmitted from the image server may be too large for the display screen, making the image difficult to view.

Thus, when the client computer accesses the image server, processing for reducing image data is performed in the image server such that the image data represents an image of a size suitable for a display screen of a display device in the client computer each time the access is made.

Since the processing for reducing the image data is started when the client computer accesses the image server, however, time is required until the transmission of the reduced image data to the client computer from the image server is started. That is, a relatively long time is required until an image can be displayed on the display device in the client computer (e.g., see specification at page 1, lines 13-27, and page 2, lines 1-23).

In the claimed invention, on the other hand, an image which is suitable for display on the client device (e.g., having a relatively small display screen, such as a portable telephone set, a portable information terminal, etc.) can be displayed more quickly than with the conventional systems. That is, the image data suitable for displaying (e.g., outputting) by the output device in a second client device can be immediately transmitted to the second client device. Thus, an image represented by the image data can be outputted (e.g., displayed) quickly from the output device in the second client device (e.g., see specification at page 4, lines 19-23).

For example, in an illustrative, non-limiting aspect of the present invention as exemplarily defined, for example, by independent claim 3, an image registration system (see Figure 1) including a first client device (e.g., PC 1A, digital camera 2A, etc.) and a second client device (e.g., PC 31B, portable telephone set 32, print server 33B, facsimile conversion server 34B, etc.; see also Figures 10 and 11) which can communicate with a server (e.g., image registration/transmission server 10).

The first client device includes first image data transmission means (e.g., modem 1B, portable telephone set 2B, etc.) for transmitting to the server image data (e.g., 10) to be registered (e.g., see specification at page 10, lines 4-27, and page 11, lines 1-20).

The server (e.g., 10) includes image data receiving means (e.g., 11) for receiving the image data (e.g., original image data; see also Figures 4 and 5) transmitted from the first image data transmission means in the first client device, image data generation means (e.g., CPU 12) for generating image data representing an image which can be outputted to the second client device and representing the same image as an image represented by the image data received by the image data receiving means and including a different form of representation therefrom (e.g., see specification at page 11, lines 21-22, and page 12, lines 1-10), and image data storage means (e.g., external storage 20, image database 25, etc.) for storing the image data generated by the image data generation means so as to be accessible from the second client device (e.g., see specification at page 11, lines 21-27, and page 12, lines 1-5).

The second client device includes request data transmission means (e.g., modems 31A, 33A, 34A, etc.) for transmitting to the server (e.g., 10) request data representing a request to transmit the image data stored in the image data storage means (e.g., see specification at page 11, lines 10-20).

The server (e.g., 10) further includes request data receiving means (e.g., 11) for receiving the request data transmitted from the request data transmission means in the second client device, image data retrieval means (e.g., I/O controller 19; see also Figure

2) responsive to the request data received by the request data receiving means for finding from the image data storage means (e.g., 20, 25, etc.) the image data suitable for image output to the second client device (e.g., see Support Information Table, Figure 3) which has transmitted the request data out of the image data stored in the image data storage means (e.g., 20, 25, etc.) in the server, and second image data transmission means (e.g., 11) for transmitting to the second client device the image data found by the image data retrieval means (e.g., see specification at page 11, lines 10-20).

Referring to the exemplary aspects of the invention illustrated, for example, in Figure 26, in the invention as set forth and exemplarily defined by dependent claim 4, the server (e.g., 10) further includes number-of-requests counting means (e.g., CPU 12) for incrementing the number of transmission requests issued by the second client device in response to the fact that the request data has been received by the request data receiving means. The image data generation means in the server generating image data representing the image represented by the image data received by the image data receiving means in the server and suitable for the image output to the second client device in response to the fact that the counted number by the number-of-requests counting means has reached a predetermined number (e.g., see specification at page 45, lines 15-27, page 46, lines 1-18).

In the invention as set forth and exemplarily defined by dependent claim 5, the server (e.g., 10) includes a first server (e.g., 10A) and a second server (e.g., 10B) which can communicate with the second client device (e.g., see Figure 27). The first server

includes the image data receiving means and the request data receiving means, and the second server includes the image data generation means, the image data storage means, and the second image data transmission means (e.g., see also specification at page 46, line 21 to page 47, line 19).

In the invention as set forth and exemplarily defined by dependent claim 6, the server (e.g., 10) includes a first server (e.g., 10A) which can communicate with the second client device and a second server (e.g., 10B) which can communicate with the first server (e.g., see Figure 28). The first server (e.g., 10A) includes the image data receiving means, the request data receiving means, the second image data transmission means, and the second server includes the image data generation means, the image data storage means, and the image data retrieval means (e.g., see specification at page 47, line 20, to page 48, line 22).

In the invention as set forth and exemplarily defined by independent claim 8, an image transmission server (e.g., 10) which can communicate with a client device, includes image data generation means (e.g., see CPU 12) for generating image data representing an image which can be outputted to the client device and representing the same image as an image represented by fed image data and including a different form of representation therefrom (e.g., see specification at page 11, lines 21-22, and page 12, lines 1-10), image data storage means (e.g., see 20, 25, etc.) for storing the image data generated by the image data generation means so as to be accessible from the client device, request data receiving means for receiving request data representing a request to

transmit the image data stored in the storage means, image data retrieval means (e.g., I/O controller 19; see also Figure 2) responsive to the request data received by the request data receiving means for finding from the storage means the image data suitable for image output to the client device which has transmitted the request data out of the image data stored in the storage means in the server, and image data transmission means for transmitting to the client device the image data found by the image data retrieval means (e.g., see specification at page 11, lines 10-20).

Referring to the exemplary aspects of the invention illustrated in Figures 12-17, in the invention as set forth and exemplarily defined by independent claim 10, in an image transmission server which can communicate with a client device, an image transmitting method includes generating image data representing an image which can be outputted to the client device and representing the same image as an image represented by fed image data and including a different form of representation (e.g., see Step 93 in Figure 13; see also Figure 12; see also specification at page 11, line 21 to page 12, line 16, page 21, lines 20-23, and page 22, lines 9-18), storing the generated image data so as to be accessible from the client device (e.g., see Step 92 at Figure 12; see also specification at page 21, lines 23-24; and page 23, line 27 to page 24, line 2), receiving request data representing a request to transmit the stored image data (e.g., see Step 131 at Figure 15), finding the image data suitable for image output to the client device which has transmitted the request data out of the stored image data in response to the receiving request data (e.g., see Steps 132-136; e.g., see Figure 15; see also Figures 16 and 17), and transmitting to the client

device the found image data (e.g., see specification at page 26, lines 2-5; see also figure 15, Step 137).

In the invention as set forth and exemplarily defined by independent claim 11, an image registration system including a first client device, a second client device, and a server in communication with at least one of the first client device and the second client device (e.g., see specification at page 10, lines 4-27, and page 11, lines 1-20).

The server includes image data receiving means (e.g., 11) for receiving image data transmitted from the first client device, image data generation means (e.g., CPU 12) for generating image data suitable for output to the second client device and representing a same image as an image represented by the image data from the first client device received by the image data receiving means and including a different form of representation therefrom, image data storage means (e.g., 20, 25, etc.) for storing the image data generated by the image data generation means, wherein the image data is accessible from the second client device, request data receiving means for receiving request data transmitted from the second client device, and image data retrieval means responsive to the request data from the second client device, for retrieving the image data suitable for output to the second client device from the image data stored in the image data storage means.

In the invention as set forth and exemplarily defined by dependent claim 12, the server (e.g., 10) further includes second image data transmission means (e.g., 11) for

transmitting to the second client device the image data retrieved by the image data retrieval means.

In the invention as set forth and exemplarily defined by dependent claim 13, the image data retrieval means (e.g., 19) retrieves, from the image data storage means (e.g., 20), the image data suitable for output to the second client device from the image data which is previously generated and stored in the image data storage means (e.g., see specification at page 11, lines 21-27 and page 12, lines 1-5 and 11-16; see also page 23, line 27 to page 24, line 10; and page 43, lines 15-19).

In the invention as set forth and exemplarily defined by dependent claim 14, the second image data transmission means transmits to the second client device the previously generated and stored image data found by the image data retrieval means (e.g., see specification at page 11, lines 21-27 and page 12, lines 1-5 and 11-16; see also page 23, line 27 to page 24, line 10; and page 43, lines 15-19).

In the invention as set forth and exemplarily defined by dependent claim 15, the image data retrieval means responsive to the request data from the second client device, retrieves the image data suitable for output to the second client device from the image data which is stored in the image data storage means prior to receiving the request data from the second client device by the request data receiving means (e.g., see specification at page 11, lines 21-27 and page 12, lines 1-5 and 11-16; see also page 23, line 27 to page 24, line 10; and page 43, lines 15-19).

In the invention as set forth and exemplarily defined by dependent claim 16, the image data retrieval means finds from the image data storage means the image data suitable for image output to the second client device out of the image data which is previously generated and stored in the image data storage means (e.g., see specification at page 11, lines 21-27 and page 12, lines 1-5 and 11-16; see also page 23, line 27 to page 24, line 10; and page 43, lines 15-19).

In the invention as set forth and exemplarily defined by dependent claim 17, the second image data transmission means transmits to the second client device the previously generated and stored image data found by the image data retrieval means (e.g., see specification at page 11, lines 21-27 and page 12, lines 1-5 and 11-16; see also page 23, line 27 to page 24, line 10; and page 43, lines 15-19).

In the invention as set forth and exemplarily defined by dependent claim 18, the image data suitable for image output to the client device is generated and stored prior to the receiving request data (e.g., see specification at page 11, lines 21-27 and page 12, lines 1-5 and 11-16; see also page 23, line 27 to page 24, line 10; and page 43, lines 15-19).

In the invention as set forth and exemplarily defined by dependent claim 19, the transmitting includes transmitting to the client device image data generated and stored prior to the receiving request data (e.g., see specification at page 11, lines 21-27 and page 12, lines 1-5 and 11-16; see also page 23, line 27 to page 24, line 10; and page 43, lines 15-19).

## **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

The issues presented for review by the Board of Patent Appeals and Interferences are whether Claims 3, 8, and 10-19 are anticipated under 35 U.S.C. § 102(b) by Lee, and whether Claims 4-6 are unpatentable under 35 U.S.C. §103(a) over Lee.

## **VII. ARGUMENT**

### **A. THE EXAMINER'S POSITION**

The Examiner took the position that Claims 3, 8, and 10-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Lee, and Claims 4-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lee.

In the “*Response to Arguments*” section of the final Office Action (mailed January 25, 2005), the Examiner alleged that:

*“request data receiving means” and “image data retrieval means” are inherent in a networked image data sharing system. In networked client and server devices this type of communication is known as handshaking and is inherent to the transfer of any kind of data. In order for data to be transferred, a request must be sent for the client to server, or in the reverse direction, the client must first ask permission to upload and the server then sends the ok or request for data transfer.*

*U.S. Patent 6, 330, 068 to Matsyama illustrates this kind of operation by disclosing a client submitting a request to a server to transfer an image (column 28, lines 6-15).*

*U.S. Patent 6,035,323 to Narayan et al. illustrates a similar operation in disclosing multiple clients in communication with a server and submitting requests to a server to view or transfer particular images (column 11, lines 5-49).*

(See Office Action mailed January 25, 2005, at page 3, numbered paragraph 5; emphasis Appellant's).

Appellant filed an after-final Amendment dated April 21, 2005, which traversed the Examiner's positions. The Examiner issued an Advisory Action mailed May 3, 2005.

In the Advisory Action, the Examiner indicated that the Amendment filed on April 21, 2005, had been considered but did not place the application in condition for allowance. Particularly, the Examiner stated in paragraph 11 of the Advisory Action that the Amendment did not place the application in condition for allowance because:

*Applicant argues that the reference of Lee does not disclose several features of the present claimed invention. Applicant argues that the Examiner has not considered (sic) the language of the claims and that the Examiner has merely generalized the features of the claims as "handshaking".*

*Examiner submits that only the language of the claims has been considered. The specification is not read into the claims and as the claims read on their own, they read on the exceedingly (sic) well-known practice of "handshaking".*

*Applicant further argues the differences between the reference of Lee and the present claimed invention with such features as “previously generated” image data for transmission and argues that Lee discloses processing data “each time” the access is made to the server.*

*However Examiner submits that this distinguishing feature does not appear in the claims. Examiner submits that the reference of Lee discloses all of these features either explicitly or inherently.*

*Applicant further argues that the cited reference of Lee in column 3, lines 34-37 discloses that the processing for modifying data is performed in the server computer “each time” access is made by the client computer, in contrast to the present invention which Applicant argues “previously is generated” (which language is not claimed).*

*Examiner submits that Lee states that the intended use of the information is made known by communication of the first client (not the second client) with the server and that processing is performed according to intended use (for either later or immediate (sic)) transmission (column 3, lines 34-37). Examiner submits that this reads on the present invention as claimed.*

(See Advisory Action, Continuation Sheet (PTOL-303), paragraph 11; emphasis Appellant's).

Therefore, for purposes of appeal, the Examiner maintained the rejections of claims 3-6, 8, and 10-19.

**B. APPELLANT'S POSITION**

To summarize, Appellant submits that the Examiner's position is flawed as a matter of fact and law. Thus, Claims 3, 8, and 10-19 are not anticipated under 35 U.S.C. § 102(b) by Lee, and Claims 4-6 are not rendered obvious under 35 U.S.C. §103(a) over Lee.

**The Examiner's Position is Flawed as a Matter of Fact and Law**

The Examiner takes the position that Claims 3, 8, and 10-19 are anticipated under 35 U.S.C. § 102(b) by Lee, and that Claims 4-6 are rendered obvious under 35 U.S.C. §103(a) over Lee. For the following reasons, Appellant traverses this rejection.

As mentioned above, in the Advisory Action, the Examiner stated that "Examiner submits that only the language of the claims has been considered. ... *features as "previously generated" ... does not appear in the claims*" (see Advisory Action, Continuation Sheet (PTOL-303), paragraph 11; emphasis Appellant's).

The Examiner further states that Appellant's argument regarding "*previously is generated*" (*which language is not claimed*)" (see Advisory Action, Continuation Sheet (PTOL-303), paragraph 11; emphasis Appellant's).

The Examiner's position is not understood, for several reasons.

- i) **The Examiner's claim interpretation is unreasonably broad and fails to consider the claimed invention as a whole.**

First, Appellant submits that the claims, when properly considered as a whole for what they fairly teach to the ordinarily skilled artisan, clearly recite that the image data suitable for output or displaying from the output device in the (second) client device previously is generated in the image transmission server, not generated each time the receiving request data is made.

For example, independent claim 3 recites, *inter alia*, an image registration system including a first client device and a second client device which can communicate with a server, wherein the server comprises:

image data generation means for generating image data representing an image which can be outputted to the second client device and representing the same image as an image represented by the image data received by said image data receiving means and including a different form of representation therefrom; and

image data storage means for storing the image data generated by said image data generation means so as to be accessible from the second client device, ...

wherein the server further comprises:

request data receiving means for receiving the request data transmitted from the request data transmission means in the second client device;

image data retrieval means responsive to the request data received by said request data receiving means for finding from

*the image data storage means the image data suitable for image output to the second client device which has transmitted said request data out of the image data stored in the image data storage means in the server; and*  
*second image data transmission means for transmitting to the second client device the image data found by said image data retrieval means* (emphasis added).

Clearly, if the image data retrieval means finds the image data from the image data storage means, then the image data would be previously generated by the image data generation means and stored by the image data storage means.

Thus, when all of the features of the claim properly are considered as a whole for what they fairly disclose, it is clear that the Examiner has unreasonably broadly construed the features of the claims as not defining that the image data would be previously generated by the image data generation means and stored by the image data storage means.

Thus, Appellant respectfully submits that the Examiner has misconstrued the features of the claims.

**ii) The Examiner's claim interpretation is unreasonably broad and fails to consider the actual language of the claims.**

The Examiner's position set forth in the Advisory, which states that "'previously generated' ... does not appear in the claims" (see Advisory Action, Continuation Sheet (PTOL-303), paragraph 11; emphasis Appellant's), is not understood by Appellant.

That is, contrary to the Examiner's position in the Advisory Action, the features of "*previously generated and stored*" clearly are recited, for example, in claims 13-19 of the present application, which were added to define more clearly and particularly the features of the claimed invention by the Amendment under 37 C.F.R. § 1.111 filed on July 21, 2004.

For example, Claim 13 recites, *inter alia*, that "*said image data retrieval means retrieves, from the image data storage means, said image data suitable for output to the second client device from the image data which is previously generated and stored in the image data storage means*" (emphasis Appellant's).

Claim 14 clearly and particularly recites, *inter alia*, that "*said second image data transmission means transmits to the second client device the previously generated and stored image data found by said image data retrieval means*" (emphasis Appellant's).

Claim 15 recites, *inter alia*, that "*said image data retrieval means responsive to said request data from said second client device, retrieves said image data suitable for output to said second client device from the image data which is stored in the image data storage means prior to receiving said request data from said second client device by said request data receiving means*" (emphasis Appellant's).

Claim 16 recites, *inter alia*, that "*said image data retrieval means finds from the image data storage means the image data suitable for image output to the second client device out of the image data which is previously generated and stored in the image data storage means*" (emphasis Appellant's).

Claim 17 recites, *inter alia*, that “*said second image data transmission means transmits to said second client device the previously generated and stored image data found by said image data retrieval means*” (emphasis Appellant’s).

Claim 18 recites, *inter alia*, that “*said image data suitable for image output to the client device is generated and stored prior to said receiving request data*” (emphasis Appellant’s).

Claim 19 recites, *inter alia*, that “*said transmitting includes transmitting to said client device image data generated and stored prior to said receiving request data*” (emphasis Appellant’s).

Thus, contrary to the Examiner’s position, the subject features clearly are recited in the claims (e.g., at least claims 13-19) and should have been considered by the Examiner.

For at least the foregoing reasons, Appellants respectfully submit that the Examiner clearly has not considered all of the *actual* language of the claims, particularly, claims 13-19.

**iii) “Handshaking” is not germane to the claimed invention.**

As mentioned above, Appellants respectfully submit that the Examiner clearly has not considered all of the *actual* language of the claims. Instead, the Examiner has improperly mischaracterized the features of the claims as being comparable to “*handshaking*”.

As mentioned above, the present invention relates to an image registration system, an image registration server, and an image transmission server, as well as an image registering method and an image transmitting method.

The specification clearly describes that conventional systems for uploading image data into image servers through networks are known in which it is possible to display an image represented by an image data downloaded from the image server on a display device in various types of client computers, such as a personal computer, a portable telephone set, a portable information terminal, or the like.

The present invention explains that, in such systems, when an image server is accessed by the client computer, image data uploaded in the image server is downloaded into the client computer to be displayed on a display device in the client computer. However, if the device which accesses the image server has a relatively small display screen, for example, a portable telephone set or a portable information terminal, an image represented by image data transmitted from the image server may be too large for the display screen, making the image difficult to view. Thus, when the client computer accesses the image server, processing for reducing image data is performed in the image server such that the image data represents an image of a size suitable for a display screen of a display device in the client computer each time the access is made.

Since the processing for reducing the image data is started when the client computer accesses the image server, however, time is required until the transmission of the reduced image data to the client computer from the image server is started. That is, a

relatively long time is required until an image can be displayed on the display device in the client computer (e.g., see specification at page 1, lines 13-27, and page 2, lines 1-23).

In the claimed invention, on the other hand, an image which is suitable for display on the client device (e.g., having a relatively small display screen, such as a portable telephone set, a portable information terminal, etc.) can be displayed more quickly than with the conventional systems. That is, the image data suitable for displaying (e.g., outputting) by the output device in a second client device can be immediately transmitted to the second client device. Thus, an image represented by the image data can be outputted (e.g., displayed) quickly from the output device in the second client device (e.g., see specification at page 4, lines 19-23).

Contrary to the Examiner's position, Appellant submits that general concept of "*handshaking*" clearly is not germane to the claimed invention.

Turning to the ordinary meaning of the term "*handshaking*", the term "*handshaking*" generally is defined as "*the exchanging of signals between a computer and another computer or external device indicating that a link is established and communication is possible*" by Encarta® World English Dictionary, North American Edition, Microsoft Corporation © 2005.

That is, the term "*handshaking*" generally refers to the internal communications protocol by which data is transferred from the hardware port to the receive buffer.

For example, when a character of data arrives at the serial port, the communications device has to move it into the receive buffer so that a program can read it. If there is no receive buffer and the program is expected to read every character directly from the

hardware, data likely will be lost because the characters can arrive very quickly. A handshaking protocol insures data is not lost due to a buffer overrun, where data arrives at the port too quickly for the communications device to move the data into the receive buffer.

As another example of an ordinary meaning of the term “*handshaking*”, the Federal Standard 1037C states that, in data communications, the term “*handshaking*” is defined as a sequence of events governed by hardware or software, requiring mutual agreement of the state of the operational modes prior to information exchange.

That is, the term “*handshaking*” is used to define the process used to establish communications parameters between two stations (see Federal Standard 1037C entitled Telecommunications: 1 List of telecommunications terms defined in Federal Standard 1037C: 1.7 Control/Control Characters/Command/Error Correction/Handshaking, retrieved from [http://en.wikipedia.org/wiki/Federal\\_Standard\\_1037C](http://en.wikipedia.org/wiki/Federal_Standard_1037C)).

In comparison, the claimed invention clearly and particularly recites an image registration system (and image transmitting method) in which a server includes, *inter alia*:

*image data receiving means for receiving the image data transmitted from said first image data transmission means in said first client device;*

*image data generation means for generating image data representing an image which can be outputted to the second client device and representing the same image as an image represented by the image data received by said image data receiving means and including a different form of representation therefrom; and*

*image data storage means for storing the image data generated by said image data generation means so as to be accessible from the second client device.*

...

*request data receiving means for receiving the request data transmitted from the request data transmission means in the second client device;*

*image data retrieval means responsive to the request data received by said request data receiving means for finding from the image data storage means the image data suitable for image output to the second client device which has transmitted said request data out of the image data stored in the image data storage means in the server; and*

*second image data transmission means ... (emphasis Appellant's).*

Thus, contrary to the Examiner's position, the general concept of "*Handshaking*" clearly is not germane to the claimed invention when properly considered as a whole for what it fairly teaches to one of ordinary skill in the art. Indeed, "*handshaking*" has nothing to do with the novel and unobvious features of the claimed invention.

**iii) Claims 3, 8, and 10-19 clearly are not anticipated under 35 U.S.C. § 102(b) by Lee.**

As mentioned above, the Examiner takes the position that Claims 3, 8, and 10-19 are anticipated under 35 U.S.C. § 102(b) by Lee. For the following reasons, Appellant traverses this rejection.

Also as mentioned above, Appellant respectfully submits that the Examiner has not considered the actual language of the claims, but instead, merely has generalized the features of the claim as reciting only "*handshaking*". Appellant respectfully submits, however, that claim 3 does not merely recite "*handshaking*", as alleged by the Examiner.

Instead, claim 3 defines a novel and unobvious combination of features in which the image data suitable for the output of the output device in the (second) client device *previously is generated* in the image transmission server, not generated *each time* the receiving request data is made.

That is, in the claimed invention, the image transmission server finds the *previously generated image data* suitable for the output of the output device in the client device in response to receiving the request data from the second client device.

Thus, in the claimed invention, the image data can be *immediately* transmitted to the second client device from the server, since the image data suitable for the output of the output device in the client device *previously is generated and stored* (e.g., see specification at page 4, lines 19-23).

### **Independent Claim 3**

Particularly, independent claim 3 recites, *inter alia*, an image registration system including a first client device and a second client device which can communicate with a server, wherein the server comprises:

*image data generation means for generating image data representing an image which can be outputted to the second client device* and representing the same image as an image represented by the image data received by said image data receiving means and *including a different form of representation therefrom; and*

*image data storage means for storing the image data generated by said image data generation means* so as to be accessible from the second client device, ...  
wherein the server further comprises:

*request data receiving means for receiving the request data transmitted from the request data transmission means in the second client device;*

*image data retrieval means responsive to the request data received by said request data receiving means for finding from the image data storage means the image data suitable for image output to the second client device which has transmitted said request data out of the image data stored in the image data storage means in the server; and*

*second image data transmission means for transmitting to the second client device the image data found by said image data retrieval means (emphasis added).*

As the Examiner surely knows, to anticipate a claim the reference must teach each and every element of the claim in as complete detail as recited in the claim (e.g., see Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631; 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); see also M.P.E.P. § 2131.

“The identical invention must be shown in as complete detail as in contained in the ...claim” (see Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); *emphasis added*; see also M.P.E.P. § 2131). The elements also must be arranged as required by the claim (e.g., see In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

That is, not only must each and every element of the claims be taught, but the claimed arrangement of the elements (i.e., the claimed relationships between the elements) also must be taught by the reference. It is not enough merely to cite a “laundry list” of elements without regard for how those elements relate to one another or how those elements actually are arranged in the reference.

In this case, however, there clearly are elements of the claimed invention which are not disclosed or suggested by Lee.

As Appellant pointed out in the Amendment under 37 C.F.R. § 1.111 filed on July 21, 2004 (see page 13, last paragraph), the Examiner relied on Figure 2, element 210, of Lee in rejecting claim 3.

However, contrary to the Examiner's stated position, Lee does not disclose or suggest at least "image data generation means for generating image data representing an image which can be outputted to the second client device ...; and image data storage means for storing the image data generated by said image data generation means ...wherein the server further comprises: request data receiving means ...; image data retrieval means responsive to the request data received by said request data receiving means for finding from the image data storage means the image data suitable for image output to the second client device" (emphasis added), as recited in independent claim 3.

For example, Lee discloses that the processing for modifying data is performed in the server computer each time the access is made by the client computer in Lee (e.g., see also Lee at column 3, lines 34-37).

Indeed, Lee specifically states, in element 210 of Figure 2:

TRANSMIT INFORMATION RELATED TO THE  
INTENDED USE OF DATA IN A CLIENT APPLICATION  
FROM THE CLIENT COMPUTER TO THE SERVER  
COMPUTER.

Further, Lee states, in elements 220 and 230 of Figure 2:

**BASED ON THE TRANSMITTED INFORMATION,**  
**MODIFYING DATA TO OPTIMIZE DATA FOR ITS**  
**INTENDED USE OF THE CLIENT APPLICATION, and**  
**TRANSMIT MODIFIED DATA TO CLIENT APPLICATION**  
(emphasis added).

That is, Lee discloses that the modified data for its intended use of the client application is generated by the server computer based on the information which is transmitted from the client computer.

In other words, the processing for modifying data is performed in the server computer each time the access is made by the client computer in Lee (e.g., see also Lee at column 3, lines 34-37).

In the Advisory Action, the Examiner takes the position that “*Lee states that the intended use of the information is made known by communication of the first client (not the second client) with the server and that processing is performed according to intended use (for either later or immediate (sic)) transmission (column 3, lines 34-37). Examiner submits that this reads on the present invention as claimed*” (see Advisory Action, Continuation Sheet (PTOL-303), paragraph 11; emphasis Appellant’s).

However, contrary to the Examiner’s position, the cited portion does not disclose or suggest at least:

*image data generation means for generating image data representing an image which can be outputted to the second client device and representing the same image as an image represented by the image data received by said image data receiving means and including a different form of representation therefrom; and*

*image data storage means for storing the image data generated by said image data generation means so as to be accessible from the second client device, ...*  
*wherein the server further comprises:*  
*request data receiving means for receiving the request data transmitted from the request data transmission means in the second client device;*  
*image data retrieval means responsive to the request data received by said request data receiving means for finding from the image data storage means the image data suitable for image output to the second client device which has transmitted said request data out of the image data stored in the image data storage means in the server; and*  
*second image data transmission means for transmitting to the second client device the image data found by said image data retrieval means,*

as recited in independent claim 13 (emphasis Appellant's).

Instead, Lee describes the server application program 120 stored on the server 100 is modified to respond to the information received from the client 110a-c regarding intended use. Lee discloses that these modifications are done by modifying or extending currently existing programs (e.g., see Lee at column 3, lines 34-41).

Again, as mentioned above, Lee specifically states in elements 220 and 230 of

Figure 2:

**BASED ON THE TRANSMITTED INFORMATION,**  
**MODIFYING DATA TO OPTIMIZE DATA FOR ITS**  
**INTENDED USE OF THE CLIENT APPLICATION, and**  
**TRANSMIT MODIFIED DATA TO CLIENT APPLICATION**  
(emphasis added).

That is, Lee discloses that the modified data for its intended use of the client application is generated by the server computer based on the information which is transmitted from the client computer.

In stark contrast to Lee, the claimed invention as exemplarily defined by independent claim 3 recites that the image data suitable for the output of the output device in the (second) client device previously is generated in the image transmission server, not generated each time the receiving request data is made and not generated based on the intended use.

That is, the claimed invention includes “*image data generation means for generating image data representing an image which can be outputted to the second client device and representing the same image as an image represented by the image data received by said image data receiving means and including a different form of representation therefrom*” (emphasis Appellant’s). In other words, the claimed invention receives the *original* image data and then *generates different forms* of the image data and *stores the different forms* in the storage means.

In the claimed invention, in response to receiving request data, the image transmission server then finds the previously generated image data, from among the stored image data, which is suitable for outputting by the output device which has requested the image data.

Thus, in the claimed invention, the image data can be immediately transmitted to the second client device from the server, since the image data suitable for outputting by the output device in the client device previously is generated and stored (e.g., see specification at page 4, lines 19-23).

Accordingly, Appellant respectfully submits that, contrary to the Examiner's position, Lee clearly does not disclose or suggest all of the novel and unobvious features of the claimed invention, including, among other features, "request data receiving means for receiving the request data transmitted from the request data transmission means in the second client device" and "image data retrieval means responsive to the request data received by said request data receiving means for finding from the image data storage means the image data suitable for image output to the second client device which has transmitted said request data out of the image data stored in the image data storage means in the server", as claimed in independent claim 3 (emphasis added).

Indeed, Appellant respectfully submits that the Examiner has not considered all of the features of independent claim 3.

For the foregoing reasons, Appellant respectfully submits that Lee clearly does not disclose or suggests all of the features independent claim 3, in as complete detail as recited in claim 3. Thus, Lee clearly does not anticipate, or for that matter render obvious, all of the features of independent claim 3.

#### **Claims 8 and 11-17**

Independent claim 8 recites, *inter alia*, an image transmission server which can communicate with a client device, including:

*image data generation means for generating image data representing an image which can be outputted to the client device and representing the same image as an image*

*represented by fed image data and including a different form of representation therefrom;*

*image data storage means for storing the image data generated by said image data generation means so as to be accessible from the client device;*

*request data receiving means for receiving request data representing a request to transmit the image data stored in said storage means;*

*image data retrieval means responsive to the request data received by said request data receiving means for finding from the storage means the image data suitable for image output to the client device which has transmitted the request data out of the image data stored in the storage means in the server; and*

*image data transmission means for transmitting to the client device the image data found by said image data retrieval means (emphasis added).*

In this case, however, there clearly are elements of the claimed invention which are not disclosed or suggested by Lee.

As mentioned above, Lee discloses that the processing for modifying data is performed in the server computer each time the access is made by the client computer in Lee (e.g., see also Lee at column 3, lines 34-37).

Lee specifically states, in element 210 of Figure 2:

TRANSMIT INFORMATION RELATED TO THE  
INTENDED USE OF DATA IN A CLIENT APPLICATION  
FROM THE CLIENT COMPUTER TO THE SERVER  
COMPUTER.

Further, Lee states, in elements 220 and 230 of Figure 2:

**BASED ON THE TRANSMITTED INFORMATION,**  
**MODIFYING DATA TO OPTIMIZE DATA FOR ITS**  
**INTENDED USE OF THE CLIENT APPLICATION, and**  
**TRANSMIT MODIFIED DATA TO CLIENT APPLICATION**  
(emphasis added).

That is, Lee discloses that the modified data for its intended use of the client application is generated by the server computer based on the information which is transmitted from the client computer.

In other words, the processing for modifying data is performed in the server computer each time the access is made by the client computer in Lee (e.g., see also Lee at column 3, lines 34-37).

In stark contrast to Lee, the claimed invention as exemplarily defined by independent claim 8 recites that the image data suitable for the output of the output device in the (second) client device previously is generated in the image transmission server, not generated each time the receiving request data is made and not generated based on the intended use.

That is, the claimed invention receives the *original* image data and then *generates different forms* of the image data and *stores the different forms* in the storage means.

In the claimed invention, in response to receiving request data, the image transmission server then finds the previously generated image data, from among the stored image data, which is suitable for outputting by the output device which has requested the image data.

Thus, in the claimed invention, the image data can be immediately transmitted to the second client device from the server, since the image data suitable for outputting by the output device in the client device previously is generated and stored (e.g., see specification at page 4, lines 19-23).

Accordingly, Appellant respectfully submits that, contrary to the Examiner's position, Lee clearly does not disclose or suggest all of the novel and unobvious features of the claimed invention, as recited in independent claim 8 (emphasis added).

Indeed, Appellant respectfully submits that the Examiner has not considered all of the features of independent claim 8. Applicant respectfully submits that the Examiner should have responded to all of Applicant's traversal positions and answered the substance of the arguments (e.g., see M.P.E.P. § 707.07(f); see also M.P.E.P. § 2144.08(III)).

For the foregoing reasons, Appellant respectfully submits that Lee clearly does not disclose or suggests all of the features independent claim 8, in as complete detail as recited in claim 8. Thus, Lee clearly does not anticipate, or for that matter render obvious, all of the features of independent claim 8.

On the other hand, independent claim 11 recites, *inter alia*, an image registration system, including:

*a first client device;  
a second client device; and  
a server in communication with at least one of said first client device and said second client device,  
wherein said server comprises:  
image data receiving means for receiving image data transmitted from said first client device;  
image data generation means for generating image data suitable for output to said second client device and representing a same image as an image represented by said image data from said first client device received by said image data receiving means and including a different form of representation therefrom;  
image data storage means for storing said image data generated by said image data generation means, wherein said image data is accessible from the second client device;*

*request data receiving means for receiving request data transmitted from said second client device; and  
image data retrieval means responsive to said request data from said second client device, for retrieving said image data suitable for output to said second client device from the image data stored in the image data storage means (emphasis added).*

In this case, however, there clearly are elements of the claimed invention which are not disclosed or suggested by Lee.

As mentioned above, Lee discloses that the processing for modifying data is performed in the server computer each time the access is made by the client computer in Lee (e.g., see also Lee at column 3, lines 34-37).

Lee specifically states, in element 210 of Figure 2:

TRANSMIT INFORMATION RELATED TO THE  
INTENDED USE OF DATA IN A CLIENT APPLICATION  
FROM THE CLIENT COMPUTER TO THE SERVER  
COMPUTER.

Further, Lee states, in elements 220 and 230 of Figure 2:

**BASED ON THE TRANSMITTED INFORMATION,**  
**MODIFYING DATA TO OPTIMIZE DATA FOR ITS**  
**INTENDED USE OF THE CLIENT APPLICATION, and**  
**TRANSMIT MODIFIED DATA TO CLIENT APPLICATION**  
(emphasis added).

That is, Lee discloses that the modified data for its intended use of the client application is generated by the server computer based on the information which is transmitted from the client computer.

In other words, the processing for modifying data is performed in the server computer each time the access is made by the client computer in Lee (e.g., see also Lee at column 3, lines 34-37).

In stark contrast to Lee, the claimed invention as exemplarily defined by independent claims 8 and 11 recite that the image data suitable for the output of the output device in the (second) client device previously is generated in the image transmission server, not generated each time the receiving request data is made and not generated based on the intended use.

That is, the claimed invention receives the *original* image data and then *generates different forms* of the image data and *stores the different forms* in the storage means.

In the claimed invention, in response to receiving request data, the image transmission server then finds the previously generated image data, from among the stored image data, which is suitable for outputting by the output device which has requested the image data.

Thus, in the claimed invention, the image data can be immediately transmitted to the second client device from the server, since the image data suitable for outputting by the output device in the client device previously is generated and stored (e.g., see specification at page 4, lines 19-23).

Accordingly, Appellant respectfully submits that, contrary to the Examiner's position, Lee clearly does not disclose or suggest all of the novel and unobvious features of the claimed invention, as recited in independent claims 8 and 11 (emphasis added).

Appellant's Brief on Appeal  
U.S. Application Serial No. 09/872,008  
Docket No. 5-052US-FF (USH.019)

Indeed, Appellant respectfully submits that the Examiner has not considered all of the features of independent claims 8 and 11. Applicant respectfully submits that the Examiner should have responded to all of Applicant's traversal positions and answered the substance of the arguments (e.g., see M.P.E.P. § 707.07(f); see also M.P.E.P. § 2144.08(III)).

For the foregoing reasons, Appellant respectfully submits that Lee clearly does not disclose or suggests all of the features independent claims 8 and 11, in as complete detail as recited in claims 8 and 11. Thus, Lee clearly does not anticipate, or for that matter render obvious, all of the features of independent claims 8 and 11.

Claim 12 also is patentable over Lee by virtue of its dependency from claim 11, as well as for the additional features recited therein.

As mentioned above, the Examiner's position set forth in the Advisory, which states that "'previously generated' ... does not appear in the claims" (see Advisory Action, Continuation Sheet (PTOL-303), paragraph 11; emphasis Appellant's), is not understood by Appellant.

That is, contrary to the Examiner's position in the Advisory Action, the features of "*previously generated and stored*" clearly are recited, for example, in claims 13-17 of the present application, which were added to define more clearly and particularly the features of the claimed invention by the Amendment under 37 C.F.R. § 1.111 filed on July 21, 2004.

For example, Claim 13 recites, *inter alia*, that "*said image data retrieval means retrieves, from the image data storage means, said image data suitable for output to the*

*second client device from the image data which is previously generated and stored in the image data storage means*" (emphasis Appellant's).

Claim 14 clearly and particularly recites, *inter alia*, that "*said second image data transmission means transmits to the second client device the previously generated and stored image data found by said image data retrieval means*" (emphasis Appellant's).

Claim 15 recites, *inter alia*, that "*said image data retrieval means responsive to said request data from said second client device, retrieves said image data suitable for output to said second client device from the image data which is stored in the image data storage means prior to receiving said request data from said second client device by said request data receiving means*" (emphasis Appellant's).

Claim 16 recites, *inter alia*, that "*said image data retrieval means finds from the image data storage means the image data suitable for image output to the second client device out of the image data which is previously generated and stored in the image data storage means*" (emphasis Appellant's).

Claim 17 recites, *inter alia*, that "*said second image data transmission means transmits to said second client device the previously generated and stored image data found by said image data retrieval means*" (emphasis Appellant's).

For at least the foregoing reasons, Appellants respectfully submit that the Examiner clearly has not considered all of the *actual* language of the claims, particularly, claims 13-17.

**Method Claims 10, 18, and 19**

Independent claim 10 recites, *inter alia*, an image transmitting method,  
comprising:

*generating image data representing an image which can be  
outputted to the client device and representing the same image as an  
image represented by fed image data and including a different form of  
representation;*

*storing the generated image data so as to be accessible from the  
client device;*

*receiving request data representing a request to transmit the  
stored image data;*

*finding the image data suitable for image output to the client  
device which has transmitted the request data out of the stored image  
data in response to the receiving request data; and*

*transmitting to the client device the found image data (emphasis  
Appellant's).*

Appellant submits that Lee clearly does not disclose at least the claimed features  
of “generating image data ... representing the same image as an image represented by  
fed image data and including a different form of representation; storing the generated  
image data ...; finding the image data suitable for image output to the client device which  
has transmitted the request data out of the stored image data in response to the receiving  
request data”, as recited in independent claim 10.

Instead, as mentioned above, Lee discloses that the processing for modifying data  
is performed in the server computer each time the access is made by the client computer  
in Lee (e.g., see also Lee at column 3, lines 34-37).

Lee specifically states, in element 210 of Figure 2:

TRANSMIT INFORMATION RELATED TO THE  
INTENDED USE OF DATA IN A CLIENT APPLICATION  
FROM THE CLIENT COMPUTER TO THE SERVER  
COMPUTER.

Further, Lee states, in elements 220 and 230 of Figure 2:

**BASED ON THE TRANSMITTED INFORMATION,**  
**MODIFYING DATA** TO OPTIMIZE DATA FOR ITS  
INTENDED USE OF THE CLIENT APPLICATION, and  
**TRANSMIT MODIFIED DATA** TO CLIENT APPLICATION  
(emphasis added).

That is, Lee discloses that the modified data for its intended use of the client application is generated by the server computer based on the information which is transmitted from the client computer.

In other words, the processing for modifying data is performed in the server computer each time the access is made by the client computer in Lee (e.g., see also Lee at column 3, lines 34-37).

As mentioned above, the Examiner's position set forth in the Advisory, which states that "'previously generated' ... does not appear in the claims" (see Advisory Action, Continuation Sheet (PTOL-303), paragraph 11; emphasis Appellant's), is not understood by Appellant.

That is, contrary to the Examiner's position in the Advisory Action, the features of "*previously generated and stored*" clearly are recited, for example, in claims 18 and 19 of the present application, which were added to define more clearly and particularly the

Appellant's Brief on Appeal  
U.S. Application Serial No. 09/872,008  
Docket No. 5-052US-FF (USH.019)

features of the claimed invention by the Amendment under 37 C.F.R. § 1.111 filed on July 21, 2004.

For example, Claim 18 recites, *inter alia*, that “*said image data suitable for image output to the client device is generated and stored prior to said receiving request data*” (emphasis Appellant’s).

Claim 19 recites, *inter alia*, that “*said transmitting includes transmitting to said client device image data generated and stored prior to said receiving request data*” (emphasis Appellant’s).

Thus, contrary to the Examiner’s position, the subject features clearly are recited in the claims and should have been considered by the Examiner.

For the foregoing reasons, Appellant submits that Lee does not anticipate, or render obvious, all of the features of method claims 10, 18, and 19 of the present invention.

**iv) Claims 4-6 clearly are not unpatentable under 35 U.S.C. § 103(a) in view of Lee.**

Appellant respectfully submits that dependent claims 4-6 clearly are patentable over Lee by virtue of their dependency from independent claim 3, as well as for the additional features recited therein.

For somewhat similar reasons as those set forth above with respect to independent claims 3, 8, 10, and 11, Appellant respectfully submits that Lee clearly does not disclose

Appellant's Brief on Appeal  
U.S. Application Serial No. 09/872,008  
Docket No. 5-052US-FF (USH.019)

or suggest all of the novel and unobvious features of the claimed invention, or for that matter, the advantages derived therefrom.

Therefore, Appellant respectfully submits that claims 4-6 clearly are not anticipated by, or rendered obvious from, Lee. Thus, the Examiner respectfully is requested to withdraw this rejection and permit claims 4-6 to pass to immediate allowance.

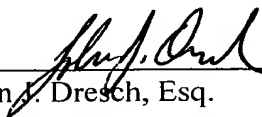
### VIII. CONCLUSION

In view of the foregoing, Appellant submits that Claims 3-6, 8, and 10-19, all the claims presently pending in the application, are patentably distinct from the prior art of record and in condition for allowance. Thus, the Board is respectfully requested to remove the rejections of Claims 3-6, 8, and 10-19.

Please charge any deficiencies and/or credit any overpayments necessary to enter this paper to Attorney's Deposit Account number 50-0481.

Respectfully Submitted,

Date: July 19, 2005

  
\_\_\_\_\_  
John A. Dresch, Esq.  
Registration No. 46,672  
Seam M. McGinn, Esq.  
Registration No. 34,386

**McGinn & Gibb, PLLC**  
8321 Old Courthouse Road  
Vienna, Virginia 22182-3817  
(703) 761-4100  
**Customer No. 21254**

**CLAIMS APPENDIX**

1-2. (Canceled).

3. (Previously presented) An image registration system comprising a first client device and a second client device which can communicate with a server,

wherein said first client device comprises:

first image data transmission means for transmitting to said server image data to be registered,

wherein the server comprises:

image data receiving means for receiving the image data transmitted from said first image data transmission means in said first client device;

image data generation means for generating image data representing an image which can be outputted to the second client device and representing the same image as an image represented by the image data received by said image data receiving means and including a different form of representation therefrom; and

image data storage means for storing the image data generated by said image data generation means so as to be accessible from the second client device,

wherein said second client device comprises:

request data transmission means for transmitting to said server request data representing a request to transmit the image data stored in said image data storage means, and

wherein the server further comprises:

request data receiving means for receiving the request data transmitted from the request data transmission means in the second client device;

image data retrieval means responsive to the request data received by said request data receiving means for finding from the image data storage means the image data suitable for image output to the second client device which has transmitted said request data out of the image data stored in the image data storage means in the server; and

second image data transmission means for transmitting to the second client device the image data found by said image data retrieval means.

4. (Previously presented) The image registration system according to claim 3, wherein said server further comprises:

number-of-requests counting means for incrementing the number of transmission requests issued by said second client device in response to the fact that the request data has been received by said request data receiving means,

wherein said image data generation means in the server generating image data representing the image represented by the image data received by the image data receiving means in the server and suitable for the image output to the second client device in response to the fact that the counted number by the number-of-requests counting means has reached a predetermined number.

5. (Previously presented) The image registration system according to claim 3, wherein said server comprises a first server and a second server which can communicate with said second client device,

wherein said first server comprises said image data receiving means and said request data receiving means, and

wherein said second server comprises said image data generation means, said image data storage means, and said second image data transmission means.

6. (Previously presented) The image registration system according to claim 3, wherein said server comprises a first server which can communicate with the second client device and a second server which can communicate with the first server,

wherein said first server comprises said image data receiving means, said request data receiving means, said second image data transmission means, and

wherein said second server comprises said image data generation means, said image data storage means, and said image data retrieval means.

7. (Canceled).

8. (Previously presented) An image transmission server which can communicate with a client device, comprising:

image data generation means for generating image data representing an image which can be outputted to the client device and representing the same image as an image represented by fed image data and including a different form of representation therefrom;

image data storage means for storing the image data generated by said image data generation means so as to be accessible from the client device;

request data receiving means for receiving request data representing a request to transmit the image data stored in said storage means;

image data retrieval means responsive to the request data received by said request data receiving means for finding from the storage means the image data suitable for image output to the client device which has transmitted the request data out of the image data stored in the storage means in the server; and

image data transmission means for transmitting to the client device the image data found by said image data retrieval means.

9. (Canceled).

10. (Previously presented) In an image transmission server which can communicate with a client device, an image transmitting method, comprising:

generating image data representing an image which can be outputted to the client device and representing the same image as an image represented by fed image data and including a different form of representation;

storing the generated image data so as to be accessible from the client device;  
receiving request data representing a request to transmit the stored image data;  
finding the image data suitable for image output to the client device which has  
transmitted the request data out of the stored image data in response to the receiving  
request data; and  
transmitting to the client device the found image data.

11. (Previously presented) An image registration system comprising:

a first client device;  
a second client device; and  
a server in communication with at least one of said first client device and said  
second client device,  
wherein said server comprises:  
image data receiving means for receiving image data transmitted from said  
first client device;  
image data generation means for generating image data suitable for output  
to said second client device and representing a same image as an image represented by  
said image data from said first client device received by said image data receiving means  
and including a different form of representation therefrom;

image data storage means for storing said image data generated by said image data generation means, wherein said image data is accessible from the second client device;

request data receiving means for receiving request data transmitted from said second client device; and

image data retrieval means responsive to said request data from said second client device, for retrieving said image data suitable for output to said second client device from the image data stored in the image data storage means.

12. (Previously presented) The image registration system according to claim 11, wherein said server further comprises:

second image data transmission means for transmitting to said second client device said image data retrieved by said image data retrieval means.

13. (Previously presented) The image registration system according to claim 11, wherein said image data retrieval means retrieves, from the image data storage means, said image data suitable for output to the second client device from the image data which is previously generated and stored in the image data storage means.

14. (Previously presented) The image registration system according to claim 13, wherein said second image data transmission means transmits to the second client device the previously generated and stored image data found by said image data retrieval means.

15. (Previously presented) The image registration system according to claim 11, wherein said image data retrieval means responsive to said request data from said second client device, retrieves said image data suitable for output to said second client device from the image data which is stored in the image data storage means prior to receiving said request data from said second client device by said request data receiving means.

16. (Previously presented) The image registration system according to claim 3, wherein said image data retrieval means finds from the image data storage means the image data suitable for image output to the second client device out of the image data which is previously generated and stored in the image data storage means.

17. (Previously presented) The image registration system according to claim 16, wherein said second image data transmission means transmits to said second client device the previously generated and stored image data found by said image data retrieval means.

Appellant's Brief on Appeal  
U.S. Application Serial No. 09/872,008  
Docket No. 5-052US-FF (USH.019)

18. (Previously presented) The image transmitting method according to claim 10, wherein said image data suitable for image output to the client device is generated and stored prior to said receiving request data.

19. (Previously presented) The image transmitting method according to claim 10, wherein said transmitting includes transmitting to said client device image data generated and stored prior to said receiving request data.

Appellant's Brief on Appeal  
U.S. Application Serial No. 09/872,008  
Docket No. 5-052US-FF (USH.019)

**EVIDENCE APPENDIX**

Not applicable.

**RELATED PROCEEDINGS APPENDIX**

Not applicable.